

Designation No. XXXXXX, provided that the nucleic acid is not a member selected from the group consisting of the EST sequences having GenBank Accession Nos. AI040890, AI469873, AA722902, AI167887, R70041, R70089, W08205, AI391145, W20594, AI684888.

20. (Amended) An isolated nucleic acid comprising a nucleotide sequence which is at least about 75% identical to the entire nucleotide sequence set forth in SEQ ID No. 2, wherein said isolated nucleic acid hybridizes under stringent conditions of 0.2 x SSC at 50° C to SEQ ID No. 2.

21. (Amended) An isolated nucleic acid comprising a nucleotide sequence which is at least about 90% identical to the entire nucleotide sequence set forth in SEQ ID No. 3, wherein said isolated nucleic acid hybridizes under stringent conditions of 0.2 x SSC at 50° C to SEQ ID No. 3.

24. (Amended) The isolated nucleic acid of any of claims 12, 14, 18, 19, 20, or 21 further comprising a label.

25. (New) An isolated nucleic acid encoding a polypeptide sequence of SEQ ID No. 10.

#### REMARKS

The above amendments enter no new matter. Support for the amendments to the claims can be found throughout the application. For example, support for amended claims 12, 18, 20 and 21 can be found at pages 15 (lines 21-26), 35 (lines 5-24) and at page 116, line 3 through page 117, line 6. Support for the amended claims 14 and 19 can be found, e.g. at page 35, line 14. Applicants expressly reserve the right to pursue without prejudice the originally filed claims as well as other disclosed subject matter at a latter date.

Applicants note that the Examiner has acknowledged Applicant's election with traverse of Group II (claims 12, 14-21 and 24, and SEQ ID NO:1). Applicants further note that the Examiner has found persuasive Applicant's second ground of traversal so that a search of SEQ ID Nos. 2 and 3 representing alternative 5' ends will be performed in conjunction with the search of SEQ ID No. 1. The Examiner states that claims 12, 14-21 and 24 are pending and under